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Citation for published version:

Konstantoni, K & Patsianta, K 2019, Young children's rights in 'tough' times: Towards an intersectional children's rights policy agenda in Greece and Scotland. in J Murray, BB Swadener & K Smith (eds), *Routledge International Handbook of Young Children's Rights*. Routledge.
<https://doi.org/10.4324/9780367142025-13>

Digital Object Identifier (DOI):

[10.4324/9780367142025-13](https://doi.org/10.4324/9780367142025-13)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

Routledge International Handbook of Young Children's Rights

Publisher Rights Statement:

This is an Accepted Manuscript of a book chapter published by Routledge in Routledge International Handbook of Young Children's Rights on 28/10/2019, available online: <https://www.routledge.com/The-Routledge-International-Handbook-of-Young-Childrens-Rights-1st-Edition/Murray-Blue-Swadener-Smith/p/book/9780367142018>

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Young Children's Rights in 'tough' times: Towards an intersectional children's rights policy agenda in Greece and Scotland

Kristina Konstantoni and Kyriaki Patsianta

Abstract

There is growing recognition of the vital importance of the early years for children's current and future development, with early intervention becoming a key international driver shaping early childhood policies and practices to address inequalities. However, ongoing global economic and refugee crises facing Europe threaten the practical implementation of children's rights across the continent. Within the fields of childhood studies and children's rights, there is an emergent call for research to understand more about the intersectional experiences of inequalities that different groups of children face due to interactions between race, gender, class, ethnicity, age, disability and others. This chapter engages with the politics of childhood by showcasing striking differences in children's rights policy and rhetoric through critical comparison of the policy and legislation contexts concerning young children's rights in two minority world countries: Greece and Scotland. The chapter identifies that both countries face gaps in the implementation of children's rights in practice and it argues for a move towards an intersectional rights policy agenda which will advance young children's rights by driving the operationalisation of the theory and praxis of intersectionality.

Introduction

On 20th November 1989, the United Nations General Assembly adopted the United Nations Convention on the Rights of the Child (UNCRC) (United Nations (UN), 1989), drawing academic, policy and practice attention to children's rights (CR). Progress has been made by many countries in incorporating the UNCRC into national laws and policies but differences between countries exist regarding the state and progress of CR in respect of policy discourses and implementation (Gadda, Harris, Tisdall, and Millership, 2019), and securing recognition of CR for children younger than eight years remains challenging (United Nations Committee on the Rights of the Child (UNCRC), 2005; Liwski, 2006). This situation contravenes the UNCRC (UN, 1989), which states that country governments that have ratified UNCRC '...have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled' (Article 4). This chapter engages with the politics of childhood, particularly in respect of early childhood up to eight years, to showcase differences in CR policy and rhetoric between two 'minority world' States: Greece and Scotland.

The term ‘Majority World’ refers to ‘the majority of the world’s population, poverty, land mass and lifestyles (which are) located in Africa, Asia and Latin America (Punch, 2016, 353). In Majority World countries, children tend to combine work, school and play, whereas children in the Minority World are less likely to work (Punch 2019, 1). Whilst concepts of majority and minority worlds may lead to homogeneous perceptions of dissimilar contexts (Konstantoni 2012), they can also be helpful for understanding diverse childhood experiences (Hanson, Abebe, Aitken, Balagopalan and Punch, 2018; Punch 2016; Punch and Tisdall 2012). Cross-cultural learning opportunities may emerge from consideration of features of two or more countries in either the Majority World or the Minority World, or in one of these. The focus of this chapter is on the latter: two countries from the Minority World.

In recent years, people in both Scotland and Greece have experienced austerity and the arrival of many refugees and migrants; at the time of writing, young children are subject to complex inequalities in both countries. This chapter explores the current policy agenda and implementation of CR in the two countries to critique these ‘wicked problems’: complex challenges which lie at the juncture of multiple disciplines and synergies and cannot be solved easily (Grint, 2008). In the chapter, we argue that addressing such ‘wicked problems’ requires an intersectional approach to CR policy to facilitate ‘a strengthening and deepening of the current rights framework’ (Wall 2008, 537) and we propose an intersectional approach to young children’s rights policy and practice. By ‘intersectional approach’ to CR policy, we mean a policy approach that responds to complex childhood inequalities by addressing ‘the simultaneous and interacting effects of gender, race, class, sexual orientation, and national origin (and others) as categories of difference’ in children’s lives (Bassel and Emejulu 2010, 518).

We open the chapter by explaining in detail why Greece and Scotland are worthy cases for focus and comparison concerning an intersectional CR policy agenda. We then engage with key debates in the childhood studies (CS) field, looking first at how CS may link with the fields of intersectionality and early childhood, then at the emerging field of CR studies, with particular emphasis on younger children. Next, the chapter focuses on Scotland, analysing its CR policy landscape, before critiquing how CR policy there influences young children’s rights (YCR) in practice, especially in respect of early childhood education and care (ECEC) provision for young children living in Scotland. In the following section we analyse the CR

policy landscape in Greece, then we discuss critically some ways that policy affects YCR in practice in Greece, particularly in ECEC provision for young children. We then propose an intersectional approach to young children's rights policy and practice in Scotland and Greece, before concluding the chapter.

The Rationale for Greece and Scotland

Greece and Scotland are diverse European countries, challenged to varying degrees in the early part of the twenty-first century by austerity, the European refugee and migrant crisis and the implementation of CR, including YCR.

Since 2009, Greece has experienced exceptional levels of austerity and reduction of its welfare state (Child Rights International Network (CRIN), 2016). Greece is also at the forefront of the European refugee and migrant crisis (United Nations Children's Fund (UNICEF), 2018), having further played a key role in the EU-Turkey agreement 2016 with border controls which have trapped refugees in the country. Children have been especially affected by this situation; in 2016, for example, 37% of refugees and migrants arriving in Greece by sea were children (United Nations High Commissioner for Refugees (UNHCR), 2016). Yet Greece only published its first National Action Plan for Children's Rights as recently as 2018 (Hellenic Government, 2018) and early educational philosophies and pedagogies inspired by CR principles are not yet widespread in Greek ECEC provision.

Scotland has also been affected by austerity in the early years of the twenty-first century, with one in four children officially recognised as living in poverty, a percentage higher than many other European countries (Child Poverty Action Group 2018). Compared with Greece, Scotland has received fewer refugee and migrant children via the *Vulnerable Persons Resettlement Scheme* (UK Government 2018). Unlike Greece, Scotland has a strong policy rhetoric concerning CR; early learning and childcare are high on its policy agenda and are regarded as tools to address social inequalities in Scotland (Dunlop 2016).

These two country cases are interesting to compare for two reasons. First, they are both European countries, but their geographical, political, cultural and socioeconomic differences have led to diversity in their experiences, needs and responses to the 2008 global financial crisis and the European refugee and migrant crisis. For example, Greece is considered a country of transit for many migrants, whereas Scotland is a destination. Secondly, both

countries have ratified the UNCRC but their current implementation of CR in policy and practice is divergent, with Scotland at a more advanced stage than Greece in respect of CR, at least in terms of policy. However, Greece has many CR grassroots initiatives that are building momentum for CR change, for example, the Network for Children's Rights in Athens (Patsianta, 2016).

Links between the fields of childhood studies, early childhood and intersectionality

Intersectionality theory derives from black feminist thought and grassroots activism, political and legal sociology (Crenshaw 1989). It has received attention across various social science disciplines as a way to understand difference and complexity in social and political life. Intersectionality is defined as 'the interaction between gender, race and other categories of difference ... and the outcomes of these interactions in terms of power' (Davis 2008, 68; Crenshaw 1989). As a theoretical and practical framework, intersectionality seeks the transformation of institutions towards social justice aims (Konstantoni and Emejulu 2017). Cho, Crenshaw, and McCall (2013) refer to three ways in which intersectionality studies have been used: the first applies intersectional frames of analysis to research; the second draws attention to intersectionality as theory and methodology; and the third explores intersectionality as praxis beyond academia. Cho *et al.* (2013, 807) state that 'further elaboration of intersectionality's theoretical and practical content can be advanced through collaborative efforts across and within disciplines, sectors, and national contexts'.

Childhood studies (CS) is a field characterised by participation and rights, critical understandings of the social construction of childhood, children positioned as subjects not objects of research, and children as agentic social actors in their communities (Tisdall and Punch, 2012). CS has focused on diversity, social inequalities and identities in different socio-spatial and cultural contexts and advocates of CS have long advocated for the importance of CR. However, Punch (2019) argues that the CS field is hindered by a persistent gap between academic discourse on the one hand and policy and practice on the other. Alongside this tension, a call to develop deeper intersectional understandings of CR within CS has emerged (Konstantoni and Emejulu 2017). Konstantoni and Emejulu (2017) recently provided the first explicit theoretical attempt to develop critically an analytical, theoretical and practical framework for applying the concept of intersectionality in the interdisciplinary field of childhood studies. Prior to this, there had been no wide critical and analytical debate

about the theories, methods, practices and politics of intersectionality in the field of childhood studies (Alanen 2016).

The field of early childhood is multi-disciplinary and has attracted much attention from different disciplines, including psychology, sociology, history, human geography, philosophy, design and architecture which aim to investigate young children's lives and experiences and how early childhood is constructed. Evidence shows that early childhood experiences impact on children's present and future development, well-being, economic security and lifetime outcomes (Organisation for Economic and Cooperation and Development (OECD), 2012; Organisation for Economic and Cooperation and Development (OECD), 2017; United Nations Children's Fund (UNICEF), 2014). The strength of this evidence has resulted in significant financial and political investment on children and children's services globally (Davis, Macnicol, Mann, McNair, O'Neill and Wray, 2016). However, there is also increasing evidence to suggest that younger children face deeper inequalities than others, including poverty, and are often deprived of their rights (O'Kane 2016). Children have faced particularly deep intersectional inequalities as the result of the severity of the global austerity and European refugee and migrant crises of the early twenty-first century - the 'double crisis' (Ruxton 2012). However, research in the CS field that has adopted intersectional analysis of inequalities has tended to focus on older children so young children are further excluded and disadvantaged (Kustatscher, Konstantoni, and Emejulu 2015).

Links between the fields of childhood studies and children's rights

Since the inception of the UNCRC (UN, 1989), the field of CR studies has begun to emerge. CR studies shares similar interests with the fields of childhood studies including positioning children as agentic social actors and children as subjects rather than objects. The emerging field of CR studies has also highlighted intersectionality's 'potential to contribute to a strengthening and deepening of the current rights framework' (Wall, 2008, 537; De Graeve, 2015), responding in this way to the diversity of children and the interacting oppressions they experience (De Graeve 2015). In the CR field, a shift 'from a top-down understanding towards a bottom-up approach of children's rights' and the importance of a contextual understanding of these rights' has recently been conceptualised as living rights (Vandenhoele, Desmet, Reynaert, and Lembrechts 2015: xv). Living rights highlight that children, 'while making use of notions of rights, shape what these rights are - and become - in the social

world’, challenging in this way that children’s rights are ‘exclusively ... defined by international institutions or states’ (Hanson and Nieuwenhuys 2013, 6).

Within the austerity regime of the early twenty-first century, early intervention has become a key driver internationally for shaping early childhood policies and practices to address inequalities (Farrell, Kagan, and Tisdall 2016). For example, high quality early childhood education and care (ECEC) can act as a protective factor for children against negative effects of poverty and other intersectional inequalities and improve long-term developmental and employment outcomes (García, Heckman, Leaf and Prados, 2017; Organisation for Economic Cooperation and Development (OECD), 2018). Therefore, increasing access to high quality ECEC has become an international imperative (United Nations, 2015; OECD 2018).

The effects of the ‘double crisis’ on children, and their experiences of living rights in such ‘tough times’ reveal interacting experiences of childhood inequalities and rights from a bottom- up perspective. Literature concerning CR and participation has ‘concentrated on older children and young people’ (Tisdall 2016, 13), despite ‘General Comment 7’ which emphasised the explicit recognition of ‘Implementing Child Rights in Early Childhood’ (UNCRC, 2005). Therefore, understanding living rights as experienced by young children, including babies, whilst challenging, is intellectually exciting.

The case of early childhood rights in Scotland

The Children’s Rights Policy Landscape in Scotland

Scotland is a devolved nation of the UK. Following the 1997 devolution referendum, the Scotland Act 1998 enacted the current parliament as a devolved legislator. Education and training, health and social services, law, local government are matters devolved to the Scottish Government. The UK ratified the UNCRC (UN, 1989) in 1991, but although bound by international law, the UNCRC has not yet been fully incorporated into domestic law. This means that, although the UNCRC gives children in the UK a comprehensive set of economic, cultural, social and political rights, they cannot rely on them in court, and complaints cannot be brought to court solely on the basis of a potential breach of the UNCRC (UN, 1989).

Nevertheless, as a devolved nation of the UK, Scotland has certain obligations regarding implementation of the UNCRC and Scotland has an official national commitment to ‘making rights real’ with policy and strategies in place to embed children’s rights legally and in

practice (Gadda *et al.* 2019). A significant piece of legislation in Scotland is the Children and Young People Act that came into force in 2014 (Scottish Government, 2014a). The Scottish Government has taken positive steps to implement children's rights. The Scottish Government submits a report to the Scottish Parliament every three years about steps taken to implement the UNCRC and planned actions. The UNCRC (UN, 1989) is explicitly mentioned in Scottish domestic legislation, providing 'a platform for systemic change' (Gadda *et al.* 2019, 3). However, the duties that comprise that platform have been considered 'vague and weak legally' with stronger accountability needed to implement CR (Gadda *et al.* 2019, 3).

The Scottish Government is making stronger commitments to rights-based approaches, including the establishment of 'an expert advisory group to lead a participatory process to make recommendations on how Scotland can continue to lead by example in human rights' (Scottish Government 2017, 22). Gadda *et al.* (2019, 10) stress the importance of 'involving children and young people in the implementation, monitoring and evaluation of embedding children's rights into legislation and practical experience'. Scotland has an official national commitment to 'making rights real' with policy strategies in place with an aim to embed children's rights legally and in practice (Gadda *et al.* 2019) and it follows a national approach for supporting children: 'Getting it Right for Every Child' (Scottish Government 2012). The Scottish Government has also 'integrated non-legislative measures into legislation and policy', including Child Rights and Wellbeing Impact Assessments (Gadda *et al.* 2019, 10). 2018 was the Scottish Government's Year of Young People and the Scottish Cabinet held its first official meeting with children and young people in March 2016, with a commitment to make this an annual event to ensure that their views are taken into account in high level decision-making: 'children and young people's involvement in governance is growing' in Scotland (Gadda *et al.* 2019, 3). However, there remain gaps in the recognition and implementation of CR in Scotland (Scottish Alliance for Children's Rights, 2016).

Young children's rights in Scotland: Early learning and childcare provision

Scotland's Early Learning and Childcare (ELC) offers young children 'entitlements, opportunities, expectations and aspirations' (Dunlop, 2016, 1). Within ELC, there are policies and strategies in place and practice guidance linked to early years and children's right. For example, the *Early Years Framework* (Scottish Government 2008) sets out a vision for early years services in Scotland to ensure that children get 'the best start in life'. Equally, *Building*

the Ambition (Scottish Government 2014b) provides national practice guidance for all those working in early learning and childcare for babies and young children. *Pre-birth to Three: Positive Outcomes for Scotland's Children and Families* (Learning and Teaching Scotland, 2010) is national guidance to support practitioners and students working with babies and children (0-3) and their families and *The Curriculum for Excellence* (Scottish Government 2004), builds on foundations developed in the period pre-birth to three years, providing a broad general education for all children in Scotland from three to eighteen years. Evaluation methodologies are also available, including *How Good is our Early Learning and Childcare (2016)?* (Education Scotland 2016). Alongside these documents, the Scottish government emphasises skills development and professional registering bodies to provide a fully qualified workforce in children's services. For example, *The Standard for Childhood Practice. Revised 2015* (Scottish Social Services Council, 2015) governs the practice of childhood practitioners.

In Scotland, care has been taken to link policies to social justice aims. Key debates in Scottish early years policy align with aspirations to combat inequalities by prioritising high quality early learning and childcare provision and closing the attainment gap between socio-economically disadvantaged and affluent children (Dunlop 2016). Providing flexible, high quality, accessible, affordable, integrated Early Learning and Childcare, supporting parents/carers to work, train or study and a skilled children's workforce to improve ELC quality are integral to these aspirations. The Children and Young People (Scotland) Act 2014 (Scottish Government, 2014) made 600 hours of free ELC available for all children aged three and four years old and eligible two years old in Scotland. Scottish Government committed to expanding early years provision and increasing the hours of free ELC to 1140 hours per year by 2020.

Given its range of policies in place linked to children's rights and early childhood, Scotland may be described as progressive. However, the key issue within the Scottish context is that the policy has not smoothly translated into practice (Dunlop, 2016). Without that translation policy cannot address the complex and intersecting inequalities that young children face in Scotland. For example, there is a tendency in policy rhetoric to focus on combatting poverty (Dunlop, 2016) without addressing the complex causes and effects of poverty. Equally, little work has been done concerning children's rights to non-discrimination and intersectional inequalities (Harris, 2014), yet there is a growing body of work showing that young children are experiencing complex inequalities (Konstantoni and Emejulu 2017).

The case of early childhood rights in Greece

The Children's Rights Policy Landscape in Greece

The UNCRC defines a child as 'every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier' (Article 1) (UN, 1989), while the United Nations Committee on the Rights of the Child (UNCRC) (2005, 2) defines early childhood as 'the period below the age of 8 years' but observes that YCR do not receive adequate attention in national legislation and policies. UNCRC (2005, 2) specifies that children of all ages are 'holders of all the rights enshrined in the Convention', including the right to the enjoyment of the highest attainable standard of health (Article 24), the right to education (Article 28), and the right to play (Article 31) (UN, 1989). However, in Greece, babies and toddlers are not considered 'persons in their own right' or 'active members' of their family and community who need 'physical nurturance, emotional care and sensitive guidance' to exercise their rights successfully (UNCRC, 2005, 3). There is no organised system in Greece to protect and nurture CR so the effective exercise of the youngest children's rights depends on the goodwill of their family and carers.

Despite ratification by Greece of the UNCRC in 1992 (UN, 1989) (Law 2101/1992), by 2012 there was still no clear legal framework in Greece for safeguarding CR and no comprehensive system to coordinate implementing and protecting CR in the country (United Nations Committee on the Rights of the Child (UNCRC), 2012, 3, 5). The Children's Rights Department of the Independent Authority of the Greek Ombudsman monitors the fulfilment of CR in Greece (UNCRC, 2012, 4), but its activities cannot fully guarantee CR. Moreover, the economic crisis of the early twenty-first century made the situation worse, reducing social investment in CR, public spending (education, health care) and subsistence costs for families (UNCRC, 2012, 2, 4). Finally, in 2017, the Ministry of Justice (MoJ) established a body to develop, monitor and evaluate national plans of action for CR (Article 8, Law 4491/2017) on the basis of articles 8-12 of Law 4491/2017. This body consults stakeholders, including children (articles 10 and 12 of Law 4491/2017), but its responsibilities are vague and its activities are not subject to external scrutiny. Nevertheless, in 2018, the MoJ developed a national plan of action for CR, consisting of a lengthy list of programs on CR funded by different ministries and entities, mostly based in Athens, the country's capital. However, the 2018 national action plan lacked strategic, time-bound and measurable goals to monitor progress and failed to uphold a key UNCRC principle (Article 12): the right of the child to

express his or her views freely in all matters that affect him or her (UN, 1989; United Nations Committee on the Rights of the Child (UNCRC), 2003, 3 – 4).

In the 2018 Greek national plan of action, few actions concerned young children. For example, the Ministry of Health aimed to raise awareness of the importance of breastfeeding but provided no plan of action to achieve this aim. Despite the lack of policies and legislation for young children in Greece, an attempt has been made to build an ECEC system that underpins children's physical, emotional, mental and social development (Ministry of Education, Research and Religious Affairs (MERRA), 2003). In theory, the kindergarten curriculum takes into consideration children's individualities, their interests and needs, Greek cultural products and social values, as well as the need to provide children with knowledge, skills and values in order to enable them to live a happy and creative life (MERRA, 2003).

Young children's rights in Greece: Early learning and childcare provision

Until recently, school attendance in Greece was compulsory from five years onwards, but in September 2018, school attendance became compulsory for children reaching four years old in 184 municipalities of the country, with the rest of Greece following suit. MERRA (2003) established guidelines for designing kindergarten curricula (MERRA, 2003) which acknowledge the important contribution of ECE to young children's holistic development and prioritise that young children's learning should be shaped by children themselves. The importance of evaluating and updating the full range of educational work, to improve its impact on the lives of children and their families, is explicitly underlined in the guidelines which also emphasise that children's assessments should be compatible with their age, daily, continuous and tailored to each child. The guidelines state that educational progress should be assessed in relation to children's potential and capabilities, and not in comparison to their classmates, and collaboration between teachers and parents regarding children's progress should be cultivated. The Ministry of Education, Research and Religious Affairs (MERRA, 2018, 4) affords teachers flexibility to adjust children's daily schedule according to their needs. MERRA (2018, 8-9) also underlines that ECE teachers should attend regular mandatory training.

Although the MERRA (2003) kindergarten curriculum guidelines do not refer explicitly to YCR, they influence the realisation of YCR in Greece. For example, they underline the importance of quality education for young children, linking early education to child

development (UN, 1989, Article 29¹) and they promote ‘child-centered’, ‘child-friendly’ ECE (UNCRC, 2001, 2; 2005, 13). They also recognise ‘the value of creative play and exploratory learning’ and the right of young children to express their views and feelings, according to their ‘levels of understanding and preferred ways of communicating’ (UNCRC, 2005, 6-7, 15)

Nevertheless, the Greek kindergarten guidelines present some serious shortcomings, elucidating why UNCRC (2012, 5) urged Greece to ‘intensify its efforts to incorporate child rights issues into all curricula of different levels of education’. Firstly, the guidelines do not refer explicitly to the UNCRC (UN, 1989) and they do not identify young children as rights holders. Moreover, they do not advocate for education that empowers children by ‘providing them with practical opportunities to exercise their rights and responsibilities in ways adapted to their interests, concerns and evolving capacities’ (UNCRC, 2005, 15). The guidelines seem to disregard young children as ‘persons in their own right’ (UNCRC, 2005, 3) by emphasising that parents’ expectations should be considered when shaping kindergarten curricula (MERRA, 2003, 586), which disregards young children as people with their own views and thoughts (Sandberg 2014, 3). Equally, while MERRA (2018, 10) makes brief reference to marginalized young children’s groups (Roma and refugee children), regarding school enrolment requirements, the guidelines seem to pay little attention overall to children that face intersectional inequalities, and while they state that each child’s individual needs should be taken into consideration in ECE, they do not emphasise the specific needs of children who are marginalized because of their status, such as refugee or homeless children.

Due to limited financial resources, the Greek ECE guidelines (MERRA, 2003) have not yet been fully implemented (UNCRC, 2012, 2, 4; Tsalagiorgou and Avgitidou 2017). Indeed, the Greek educational system as a whole has weaknesses that affect the quality of ECE: education is not regulated (Pios 2013), teacher attrition is high (Tsalagiorgou and Avgitidou 2017, 255), teachers’ professional development is inconsistent and does not focus on CR (Filokosta 2010; UNCRC, 2012, 5-6). Additionally – and of particular concern for YCR, child-initiated learning and free play are very limited in ECE (Tsalagiorgou and Avgitidou, 2017, 256).

¹ Article 29 (a) of the CRC: “States Parties agree that the education of the child shall be directed to:
(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;”.

Towards an intersectional approach to young children's rights policy and practice in Scotland and Greece

Policy plays a significant role in creating socially just societies (Hankivsky, Grace, Hunting and Ferlatte, 2012), yet the world of public policy is in a constant state of flux, due to political, economic, environmental and health crises 'creating new kinds of policy problems and challenges at international and national levels' (Hankivsky *et al.* 2012, 7; Orsini and Smith 2007). In the light of the 'double crisis' and its effects, the usefulness of existing policies for responding to 'wicked problems' may benefit from examination. Intersectionality has potential to advance equity in public policy and practice, by supporting the 'development of appropriate equality objectives and equality outcomes' (Christoffersen 2017, 2; Hankivsky *et al.* 2012, 7). However, as we have indicated, intersectionality applied to early childhood policy and practice has yet to fulfil its promise in securing high quality early childhood services and CR for all children in the country cases of Scotland and Greece.

Adopting intersectionality as a model enables those who use it to question who is benefiting and who is excluded from policy goals, agendas and priorities, taking into account the 'multi-level interacting social locations, forces, factors and power structures that shape and influence human life' (Hankivsky *et al.* 2012, 8). Therefore, intersectional analysis can support new understandings of children's lived experiences of complex inequalities and in turn allow for the development of effective strategies to address them.

Ferree (2009, cited in Hankivsky *et al.*, 2012,18) warns of:

'policies that, by privileging the treatment of some inequities and ignoring the fact that inequalities are often mutually constitutive, end up marginalizing some people, reproducing power mechanisms among groups, and failing to address the creation of categories that are at the root of the constitution of inequities. Applying intersectionality in the context of policy can thus be considered a political action, as it demonstrates a commitment to ameliorating inequitable relations of power that maintain inequity – relations that often remain unquestioned in dominant policy approaches.'

New empirical examples are needed to help us to understand how intersectionality can be operationalised in policy concerning early childhood and children's rights and what that could mean in practice for all children.

Bacchi and Eveline (2010, 52) argue that 'policies do not simply "impact" on people; they "create" people', including their social positionings and access to power and resources. However, this stand undermines the complexity of people's agency and lived experiences which are themselves constructed in intersectional contexts and draw on intersectional resources. For example, although Greek social policy has neither an explicit CR policy agenda nor framework, unlike Scotland, significant work is being undertaken by third sector organisations in Greece in respect of advocacy and practical implementation of CR (Patsianta, 2016). Moreover, irrespective of wider social policy, young children shape and make use of their rights through their everyday lived experiences. For example, although young children's participation does not feature explicitly in the Greek National Action Plan for the implementation of CR, a recent study undertaken in Greece found that children claimed their right to be listened to and to participate within private-family and public-community spaces on an everyday basis, albeit with varying degrees of success (Konstantoni, 2019).

These points suggest that applying intersectionality to the concept of living rights is a useful option for understanding and implementing young children's rights, shaped by institutions and also by children and their advocates in the social world. Manuel (2006, 175) argues that 'intersectionality theory represents an incredibly useful analytical lens for policy scholars who wish to strengthen the explanatory power of policy models that evaluate policy impacts and outcomes'. Understanding living rights through the lens of intersectionality offers new possibilities for advancing our knowledge and understanding about the policies and practices concerning young children's rights.

Conclusion

In this chapter we have engaged with the politics of childhoods. We have compared policy and practice landscapes concerning young children's rights in two minority world countries - Scotland and Greece - to reveal striking differences in children's rights policy, rhetoric and practice. Scotland has an official national commitment to 'making rights real' with strategies in place to embed children's rights legally and practically in their lives (Gadda *et al.* 2019),

whereas Greece has only just published its first National Action Plan for CR (Hellenic Government 2018). However, irrespective of either country's policy progress in relation to children's rights, both countries face challenges in implementing CR in practice. This is problematic, since both governments have ratified UNCRC and as such are responsible for protecting CR (UN, 1989, Article 4). Finally, drawing on theoretical perspectives and recognising that CR are shaped not only by institutions but also by children operating in the social world, we have argued that engaging with the concepts of living rights and intersectionality may offer new possibilities for advancing our knowledge and understanding the policies and practices concerning young children's rights.

References

- Alanen, Leena. 2016. "'Intersectionality' and Other Challenges to Theorizing Childhood." *Childhood* 23 (2): 157–161, doi: 10.1177/0907568216631055
- Bacchi, Carol and Joan Eveline. 2010. "Mainstreaming and neoliberalism: A contested relationship." In *Mainstreaming Politics: Gendering Practices and Feminist Theory*, edited by Carol Bacchi and Joan Eveline, 39-60. Adelaide: University of Adelaide Press.
- Bassel, Leah, and Akwugo Emejulu. 2010. "Struggles for Institutional Space in France and the United Kingdom: Intersectionality and the Politics of Policy," *Politics & Gender* 6 (4): 517–544., doi: 10.1017/S1743923X10000358
- Child Poverty Action Group. 2018. "Child Poverty in Scotland." <http://www.cpag.org.uk/scotland/child-poverty-facts-and-figures>
- Child Rights International Network (CRIN). 2016. "Greece: Children's rights references in the universal periodic review." <https://archive.crin.org/en/library/publications/greece-childrens-rights-references-universal-periodic-review.html>
- Cho, Sumi, Kimberlé Crenshaw, and Leslie McCall. 2013. "Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis." *Signs*, 38 (4): 785–810, doi: 10.1086/669608

Christoffersen, Ashlee. 2017. "Intersectional approaches to equality research and data. Research and data briefing." *Equality Challenge Unit* http://www.ecu.ac.uk/wp-content/uploads/2017/04/Research_and_data_briefing_2_Intersectional_approaches_to_equality_research_and_data.pdf

Crenshaw, Kimberlé W. 1989. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *The University of Chicago Legal Forum* 140: 139–167. <https://chicagounbound.uchicago.edu/uclf/vol1989/iss1/8>

Davis, Kathy. 2008. "Intersectionality as Buzzword: A Sociology of Science Perspective on What Makes a Feminist Theory Successful." *Feminist Theory*, 9 (1): 67–85, doi: [10.1177/1464700108086364](https://doi.org/10.1177/1464700108086364)

Davis, John, Rona MacNicol, Lynn McNair, Jamie Mann, Melissa O'Neill, and Ben Wray. 2016. *An equal start: A plan for equality in early learning and care in Scotland*. Biggar.

De Graeve, Katrien. 2015. "Children's Rights from a Gender Studies Perspective: Gender, Intersectionality and Ethics of Care." In *The Routledge International Handbook of Children's Rights Studies*, edited by Wouter Vandenhoe, Ellen Desmet, Didier Reynaert, and Sarah Lembrechts, 147–163. London: Routledge.

Dunlop, Aline-Wendy. 2016. "A view from Scotland: early years policy in the four nations: common challenges, diverse solutions." *Early Education Journal*, 78: 10-12, 15.

Education Scotland. 2016. "How good is our Early Learning and Childcare." https://education.gov.scot/improvement/documents/frameworks_selfevaluation/frwk1_niheditself-evaluationhgielc/hgioelc020316revised.pdf.

Farrell, Ann, Sharon Lynn Kagan and E. Kay M. Tisdall (Eds) *The Sage Handbook of Early Childhood Research*. Sage: London.

Ferree, Myra Marx. 2009. "Inequality, intersectionality and the politics of discourse: Framing feminist alliances." In *The discursive politics of gender equality: Stretching, bending and*

policy-making, edited by Emanuela Lombardo, Petra Meier, and Meike Verloo (Eds.), 86–104. London: Routledge.

Filokosta, Theodora. 2010. “Αντιλήψεις των εκπαιδευτικών για την επιμόρφωσή τους [Teachers’ point of view on their professional education].” Master’s Dissertation, University of Thessaly. <http://ir.lib.uth.gr/handle/11615/14334?locale-attribute=en>.

Gadda, Andressa, M., Juliet Harris, E. Kay M. Tisdall, and Elizabeth Millership. 2019. “‘Making children’s rights real’: Lessons from policy networks and contribution analysis.” *International Journal of Human Rights*, 1-16. doi: 10.1080/13642987.2018.1558988

García, Jorge Luis, James J. Heckman, Duncan Ermini Leaf, and Maria Jose Prados. 2017. *Quantifying the Life-cycle Benefits of a Prototypical Early Childhood Program*. Cambridge: MA: National Bureau of Economic Research. doi: 10.3386/w23479.

Grint, Keith. 2008. “Wicked Problems and Clumsy Solutions: The Role of Leadership.” *Clinical Leader* 1(2): 54-68, doi 10.1057/9780230277953_11

Hankivsky, Olena, Daniel Grace, Gemma Hunting and Olivier Ferlatte. 2012 “Why Intersectionality Matters for Health Equity and Policy Analysis.” In *An Intersectionality-Based Policy Analysis Framework*, edited by Olena Hankivsky. Vancouver, BC: Institute for Intersectionality Research and Policy, Simon Fraser University.

Hanson, Karl, and Olga Nieuwenhuys. 2012. “Living rights, social justice, translations.” In *Reconceptualizing Children’s Rights in International Development: Living Rights, Social Justice, Translations*, edited by Karl Hanson and Olga Nieuwenhuys. Cambridge: Cambridge University Press.

Hanson, Karl, Tatek Abebe, Stuart C. Aitken, Sarada Balagopalan, and Samantha Punch. 2018. “Global/Local’ Research on Children and Childhood in a ‘Global Society’.” *Childhood*. 25 (3): 272-296, doi: 10.1177/0907568218779480

Harris, Juliet. 2014. “Using the UNCRC to consider intersectionality in policy and practice.” Spotlight Presentation at Scottish Universities Insight Institute Seminar Series, *Children’s*

Rights, Social Justice and Social Identities in Scotland. Seminar 4. Intersectional childhoods: Practical applications across Practice, Policy and Research, 2 October 2014, Glasgow.

Hellenic Government. 2018. *National Action Plan for Children's Rights*.
<https://government.gov.gr/ethniko-schedio-drasis-gia-ta-dikeomata-tou-pediou/>.

Konstantoni, Kristina, 2012. "Children's Peer Relationships and Social Identities: Exploring Cases of Young Children's Agency and Complex Interdependencies From the Minority World." *Children's Geographies* 10 (3): 337–346, doi: [10.1080/14733285.2012.693382](https://doi.org/10.1080/14733285.2012.693382)

Konstantoni, Kristina. 2019. "Towards intersectional childhood studies: Beyond Diverse Childhoods." Invited Keynote at Bergische University Wuppertal, Germany, 22 January 2019.

Konstantoni, Kristina, and Akwugo Emejulu. 2017. "When intersectionality met childhood studies: the dilemmas of a travelling concept." *Children's Geographies* 15(1): 6-22, doi: [10.1080/14733285.2016.1249824](https://doi.org/10.1080/14733285.2016.1249824).

Kustatscher, Marlies, Kristina Konstantoni, and Akwugo Emejulu. 2015. "Hybridity, Hyphens and Intersectionality-Relational Understandings of Children and Young People's Social Identities." In *Families, Intergenerationality, and Peer Group Relations*, edited by Samantha Punch, Robert M. Vanderbeck and Tracey Skelton, 1–19, Singapore: Springer.

Learning and Teaching Scotland. 2010. *Pre-Birth to Three: Positive Outcomes for Scotland's Children and Families*. Glasgow: Learning and Teaching Scotland.
https://education.gov.scot/improvement/documents/elc/elc2_prebirthtothree/elc2_prebirthtothreebooklet.pdf

Liwski, Norberto I. 2006. "Implementing child rights in early childhood." In *A Guide to General Comment 7: Implementing child rights in early childhood*, edited by United Nations Committee on the Rights of the Child United Nations Children's Fund and Bernard van Leer Foundation, 8-10. The Hague: Bernard van Leer Foundation.
https://issuu.com/bernardvanleerfoundation/docs/a_guide_to_general_comment_7_implementing_child_rights

Manuel, Tiffany. 2006. “Envisioning the possibilities for a good life: Exploring the public policy implications of intersectionality theory.” *Journal of Women, Politics and Policy*, 28 (3-4): 173 – 203, doi: 10.1300/J501v28n03_08

Ministry of Education, Research and Religious Affairs (MERRA). 2003. *Διαθεματικό Ενιαίο Πλαίσιο Προγραμμάτων Σπουδών (Δ.Ε.Π.Π.Σ.) και Αναλυτικό Πρόγραμμα Σπουδών (Α.Π.Σ.) για το Νηπιαγωγείο* [Cross-thematic comprehensive curriculum framework and detailed curriculum for kindergarten]. <http://www.pi-schools.gr/programs/depps/>

Ministry of Education, Research and Religious Affairs (MERRA). 2018. *Λειτουργία Νηπιαγωγείων για το σχολικό έτος 2018-2019* [Operation of kindergartners for the school year 2018-2019]. https://www.alfavita.gr/ekpaideysi/266440_egkyklios-leitoyrgia-nipiagogeion-gia-sholiko-etos-2018-2019.

O’Kane, Claire. 2016. “Children in conflict situations: applying childhood research with a focus on the early years.” In *The Sage Handbook of Early Childhood Research*, edited by Ann Farrell, Sharon Lynn Kagan and E. Kay M. Tisdall, 345-362. London: Sage.

Organisation for Economic and Cooperation and Development (OECD). 2012. “Starting Strong III: A Quality Toolbox for Early Childhood Education and Care.” <http://www.oecd.org/edu/school/49325825.pdf>

Organisation for Economic and Cooperation and Development (OECD). 2017. “Starting Strong 2017.Key OECD Indicators on Early Childhood Education and Care.” https://www.oecd-ilibrary.org/education/starting-strong-2017_9789264276116-en

Organisation for Economic and Cooperation and Development (OECD). 2018. “*Engaging Young Children-Lessons from Research about Quality in Early Childhood Education and Care.*” <http://www.oecd.org/education/engaging-young-children-9789264085145-en.htm>

Orsini, Michael, and Miriam Smith. 2007. “Critical policy studies.” In *Critical policy studies*, edited by Michael Orsini and Miriam Smith, 1-16. Vancouver: University of British Columbia Press.

Patsianta, Kyriaki. 2016. *Μίνι οδηγός για τα δικαιώματα των νεογέννητων* [Mini guide: Newborns' rights]. Athens: Network for children's rights. <https://kpatsianta.wordpress.com/page/>.

Pios, Stefanos. 2013. "Self-assessment of the teaching process in 1st grade schools: Schoolteachers' views and suggestions". *International Conference in Open & Distance Learning* 7(B): 1-21. doi: <http://dx.doi.org/10.12681/icodl.629>.

Punch, Samantha. 2016. "Cross-world and Cross-disciplinary Dialogue: A More Integrated, Global Approach to Childhood Studies." *Global Studies of Childhood* 6(3): 352-364, doi: [10.1177/2043610616665033](https://doi.org/10.1177/2043610616665033)

Punch, Samantha. 2019. (*Forthcoming*). "Why have Generational Orderings been Marginalised in the Social Sciences including Childhood Studies?" *Children's Geographies*.

Punch, Samantha.,and E. Kay M. Tisdall. 2012. "Exploring Children and Young People's Relationships Across Majority and Minority Worlds." *Children's Geographies* 10(3): 241-248, doi: 10.1080/14733285.2012.693375

Ruxton, Sandy. 2012. *How the economic and financial crisis is affecting children and young people in Europe*. Brussels: Eurochild.

Sandberg, Kirsten. 2014. *25 years of the Convention on the Rights of the Child: The genesis and spirit of the Convention on the Rights of the Child*. New York: UNICEF. https://www.unicef.org/crc/files/03_CRC_25_Years_Sandberg.pdf

Scottish Alliance for Children's Rights. 2016. "State of Children's Rights Report 2016." <https://www.togetherscotland.org.uk/pdfs/TogetherReport2016.pdf>

Scottish Government. 2004. "A Curriculum for Excellence: The Curriculum Review Group." <http://www.scotland.gov.uk/Publications/2004/11/20178/45862>.

Scottish Government. 2008. *The Early Years Framework I*. Edinburgh: Scottish Government.
<http://www.gov.scot/Publications/2009/01/13095148/0>.

Scottish Government. 2012. “Getting it Right for Every Child.”
<https://www.gov.scot/policies/girfec/>.

Scottish Government. 2014a. “Children and Young Peoples (Scotland) Act. 2014.”
<http://www.legislation.gov.uk/asp/2014/8/contents/enacted>

Scottish Government. 2014b. *Building the Ambition: National Practice Guidance on Early Learning and Childcare: Children and Young People (Scotland) Act 2014*. Edinburgh: The Scottish Government.

Scottish Government. 2017. “A Nation with Ambition: the Government’s Programme for Scotland 2017–2018.” <http://www.gov.scot/Publications/2017/09/8468>.

Scottish Social Services Council. 2015. “Standard for Childhood Practice Revised.”
<https://www.sssc.uk.com/knowledgebase/article/KA-01548/en-us>.

Tisdall, E. Kay M. 2016. “Participation, Rights and ‘Participatory’ Methods”. In *The Sage Handbook of Early Childhood Research*, edited by Ann Farrell, Sharon Lynn Kagan, and E. Kay M. Tisdall, 73-88. Sage: London.

Tisdall, E. Kay M., and Samantha Punch. 2012. “Not so ‘New’? Looking Critically at Childhood Studies.” *Children’s Geographies* 10 (3): 249–264, doi : 10.1080/14733285.2012.693376

Tsalagiorgou, Eleni, and Sofia Avgitidou. 2017. “An exploration of early childhood teachers' needs: An effort to document the context of early childhood education.” *Hellenic Journal of Research in Education* 6 (1): 255-273. doi: <http://dx.doi.org/10.12681/hjre.14764>.

UK Government. 2018. “Over 10,500 refugees resettled in the UK under flagship scheme.”
<https://www.gov.uk/government/news/over-10000-refugees-resettled-in-the-uk-under-flagship-scheme>

United Nations. 1989. *United Nations Convention on the Rights of the Child*.

United Nations (UN). 2015. “Sustainable Development Goal 4.”

<https://sustainabledevelopment.un.org/sdg4>

United Nations Committee on the Rights of the Child (UNCRC). 2001. *General Comment N°1: article 29 (1): The Aims of Education*. CRC/GC/2001/1.

United Nations Committee on the Rights of the Child (UNCRC). 2003. *General Comment N°5: General Measures of Implementation of the Convention on the Rights of the Child (arts. 4, 42 and 44, para. 6)*. CRC/GC/2003/5.

United Nations Committee on the Rights of the Child (UNCRC). 2005. *General Comment N°7: Implementing Child Rights in Early Childhood*. CRC/C/GC/7/Rev.1.

United Nations Committee on the Rights of the Child (UNCRC). 2012. *Consideration of reports submitted by States parties under article 44 of the Convention: Concluding observations: Greece*. CRC/C/GRC/CO/2-3.

https://www2.ohchr.org/english/bodies/crc/docs/co/crc_c_grc_co_2-3.pdf

United Nations Children’s Fund (UNICEF). 2014. “The Formative Years: UNICEF’s work on measuring early childhood development.” <https://data.unicef.org/resources/the-formative-years-unicefs-work-on-measuring-eed/>

United Nations Children’s Fund (UNICEF). 2018. “Refugee and Migrant Crisis in Europe Humanitarian Situation Report #30”.

https://www.unicef.org/eca/sites/unicef.org/eca/files/2019-02/Refugee%20Migrant%20Crisis%20Europe%2030%20Dec%202018_0.pdf

United Nations High Commissioner for Refugees (UNHCR). 2016. “Refugees and Migrants Sea Arrivals in Europe.” <https://data2.unhcr.org/en/documents/download/53447>

Vandenhoe, Wouter, Ellen Desmet, Didier Reynaert, and Sarah Lembrechts (Eds). 2015. *The Routledge International Handbook of Children’s Rights Studies*. London: Routledge.

Wall, John. 2008. "Human rights in light of childhood." *International Journal of Children's Rights*, 16: 523-543, doi: 10.1163/157181808X312122